

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MOOG INC.,

Plaintiff,

v.

Case No.: _____

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and DOES NOS.
1-50,

Defendants.

DECLARATION OF WILLIAM MICHAEL JOHNNIE

WILLIAM MICHAEL JOHNNIE, under penalty of perjury and pursuant to 28 U.S.C. § 1746, declares the following to be true and correct:

I. Background

1. My name is William Michael Johnnie. I provide this declaration in support of Moog Inc.'s Petition for a Temporary Restraining Order/Preliminary Injunction. I am over the age of 18 years. I have personal knowledge of the matters set forth herein and if called as a witness, I could and would competently testify as to all facts set forth herein.

2. I received a Bachelor's of Science in Electrical Engineering from Oregon State University in 1982.

3. I have worked at Moog, Inc. ("Moog") since 2017. From August 2020 to present, I have served as AG Director of Engineering in Moog's Aircraft Group. At all relevant times, I have lived in California and worked out of Moog's Torrance, California offices.

II. Custody/Status of Devices of Misook Kim's External Hard Drive Devices

4. Based on my discussions with other employees at Moog and my review of Moog's business and internal records, I understand that on November 19, 2021, former employee Misook Kim copied a large volume of Moog data onto an external hard drive. I also understand that Ms. Kim left Moog's employment on December 17, 2021.

5. Based on my discussions with other employees at Moog and my review of Moog's business and internal records, I understand that Ms. Kim was issued two laptop computers by Moog during her employment. In late January 2022, upon request of Ian Bagnald, I attempted to locate Ms. Kim's Moog-issued laptops as well as the external hard drive in question that was involved in the copying of Moog's data on November 19, 2021. I spoke with Mr. Bagnald about recovering Ms. Kim's electronic devices and worked in conjunction with him in this investigation. On Friday, January 28, 2022, Ms. Kim's two Moog-issued laptops were located in Moog's Torrance, California office. However, the external hard drive could not be located. Miyoung Ryu, who is Ms. Kim's sister and an employee at Moog, eventually turned in an external hard drive on Ms. Kim's behalf on Monday, January 31, 2022. I maintained physical custody of Ms. Kim's two laptop devices and the external hard drive device that was returned by Ms. Ryu on Ms. Kim's behalf on January 31, 2022 in a locked cabinet in Moog's Torrance, California offices.

6. I coordinated with Mr. Bagnald's team, who accessed and analyzed the external hard drive returned by Ms. Ryu on January 31, 2022 for the sole purpose of determining what data, if any, had been extracted/copied using this device. Our investigation showed that the external hard drive returned by Ms. Ryu is blank, empty, and contains no files. Our investigation further determined that the external hard drive returned by Ms. Ryu was not the same external hard drive used by Ms. Kim to copy Moog's data on November 19, 2021, as the specification

details did not match. The specification details for the hard drive returned by Ms. Ryu on Ms. Kim's behalf on January 31, 2022 are Western Digital My Passport; Model WDBYFT0030BBL-WESN; Serial Number: WX310DB63ED85; P/N: WDBYFT0030BBK-OA; Capacity: 3 TB. True and correct copies of photos taken by me of the "Western Digital My Passport" hard drive returned by Ms. Ryu on Ms. Kim's behalf on January 31, 2022 are attached hereto as **Exhibit A**.

7. Based on my review of Moog's internal business records, I understand that on February 18, 2022, Jamie Daly (Global HR Business Partner, AG Engineering) from Moog's Torrance, California offices sent a letter to Ms. Kim at 2120 Bridgeport Way, Torrance, CA 90503 (the address on file with Moog for her), identifying the missing external drive and demanding its return by no later than February 22, 2022.

8. On February 21, 2022, I spoke with Ms. Daly who advised me that the missing external hard drive in question would be delivered to Moog's Torrance, California offices later that day. At my direction and upon my coordination, Ms. Kim delivered the missing external hard drive in question at 2:25 p.m. EST to my colleague Brian Ionescu outside of Moog's Torrance, California offices. Mr. Ionescu then provided the subject device to me, and I maintained custody of the device and kept it in a secure, locked location in Moog's Torrance, California offices.

9. The specifications for the external hard drive device that Ms. Kim used to copy Moog's data on November 19, 2021 are SAMSUNG PSSD T7 SCSI Disk Device; Model MU-PC1T0H; PSID: S9D10DUTM3SS76AGF4193P37BD4NA660; SN: S5SXNS0R702326Z; Capacity: 1 TB. A true and correct copy of a picture taken by me of the bottom of the SAMSUNG PSSD T7 SCSI Disk Device returned by Ms. Kim on February 21, 2022 is attached hereto as **Exhibit B**.

III. Custody/Status of Devices of Misook Kim's Laptop Devices

10. I worked in conjunction with Erik Houser of Setec Investigations to examine the status of Ms. Kim's two Moog-issued laptop devices. Based on my discussions with other employees at Moog and my review of Moog's business and internal records, I understand that Ms. Kim had an "old" Moog-issued laptop device that was issued many years ago that she was not actively using as part of her day-to-day job responsibilities at the time of her departure from Moog in December 2021. I further understand that Ms. Kim had a "new" Moog-issued laptop device that Ms. Kim was actively using as part of her day-to-day job responsibilities at the time of her departure from Moog in December 2021.

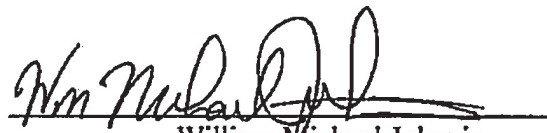
11. When examining Ms. Kim's "new" Moog-issued laptop device, we observed that the screws holding the back cover on the laptop device were not "factory tight," indicating that the back cover of the laptop had likely been opened since it left the factory. The laptop's hard drive can be accessed and removed by removing the back cover.

12. When examining Ms. Kim's "old" Moog-issued laptop device, we observed that the back cover was not installed correctly and it would not have come from the factory in this condition. This indicated that someone had removed and attempted to re-install the back cover of the laptop. The laptop's hard drive can be accessed and removed by removing the back cover. True and correct copies of pictures taken by me showing the separated back cover of Ms. Kim's "old" Moog-issued laptop device are attached hereto as **Exhibit C**.

13. Attached as **Exhibit D** is a true and correct copy of an annotation that I made of one of the pictures attached in Exhibit C, showing the various relevant components of Ms. Kim's "old" Moog-issued laptop and highlighting the gap between the back cover and the rest of the laptop device.

I declare that the foregoing is true and correct under penalty of perjury under the laws of the United States of America.

Dated: March 4, 2022


William Michael Johnnie